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*Attorneys for Plaintiff-Counterdefendant
Navigant Consulting, Inc.*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NAVIGANT CONSULTING, INC., a Delaware corporation,

Case No. 07 CIV 4854 (PKL)

Plaintiff-Counterdefendant,

v.

JESS VARUGHESE, an individual,

**NOTICE OF MOTION TO DISMISS
AMENDED COUNTERCLAIM**

JURY TRIAL DEMANDED

Defendant-Counterplaintiff.

PLEASE TAKE NOTICE that Plaintiff/Counterdefendant Navigant Consulting, Inc. will move the Court (Hon. Peter K. Leisure), at the United States Courthouse, 500 Pearl Street, Courtroom 18B, New York, New York, at a date and time convenient to the Court, for an order dismissing Counts I and II of the Defendant/Counterplaintiff Jess Varughese's

Counterclaim pursuant to Fed. R. Civ. P. 12(b)(6) on the grounds that each fails to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that the parties have conferred and agreed that any opposing affidavits and answering memoranda shall be served on or before September 10, 2007.

Dated: August 22, 2007
Chicago, Illinois

Respectfully Submitted,

FOLEY & LARDNER LLP

By: /s/ Rebecca R. Hanson
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